



NOVEMBER 13 - 17, 2006 ST. LOUIS, MISSOURI

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO
Bobby E. Shepherd - El Dorado, AR**

Circuit Judges Who Have Taken Senior Status

**Donald P. Lay - St. Paul, MN
Myron H. Bright - Fargo, ND
John R. Gibson - Kansas City, MO
Pasco M. Bowman - Kansas City, MO
Frank J. Magill - Fargo, ND
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA
Morris S. Arnold - Little Rock, AR**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27, and Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans
Clerk of Court

www.ca8.uscourts.gov

Revised: 11/15/06

DIVISION I
28th Floor
En Banc Courtroom

MONDAY, NOVEMBER 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

DGH

- | | | | |
|----|-----------|---|---------------|
| 1. | 05-4345EM | Matrix Group Limited, Inc., etc. v.
Rawlings Sporting Goods Company,
et al. | |
| | 06-1033EM | Matrix Group Limited, Inc., etc. v.
Rawlings Sporting Goods Company,
et al. | 20 |
| 2. | 06-1240NE | United States v. Jerome Bass, etc. | 15 |
| 3. | 06-2309EM | Fayette Granda v. City of St. Louis,
et al. | 15 |
| 4. | 06-2369NE | United States v. Karl Grinbergs | 10 |
| | 06-2272NI | United States v. John K. Finn | NO ARG |

2:30 P.M. BEFORE JUDGES BYE, ARNOLD, RILEY

- | | | |
|---------|--|----|
| 06-2031 | Mayo Foundation v. Surface Transportation
Board, et al. | |
| 06-2032 | City of Rochester v. Surface Transportation
Board, et al. | |
| 06-2047 | Sierra Club, et al. v. Surface Transportation
Board, et al. | |
| 06-2048 | Olmsted County v. Surface Transportation
Board, et al. | 30 |

DIVISION I
28th Floor
En Banc Courtroom

TUESDAY, NOVEMBER 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

			LAD
	06-1489SD	United States v. Wade Bamberg, etc.	NO ARG
1.	06-1905NE	Gary Rittenhouse v. UnitedHealth Group Long Term Disability Insurance Plan	10
	06-2312NI	United States v. Julian Montize Herman	NO ARG
2.	06-2133SD	United States v. Patrick Left Hand Bull	10
	06-2178NI	United States v. Stevie Glenn Howard	NO ARG
3.	06-1442NI	United States v. Jonathan Shub	10

WEDNESDAY, NOVEMBER 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

			MDS/TAB-T
1.	06-2193EA	David J. Wood, etc. v. Valley Forge Insurance Company	20
2.	06-2244SI	United States v. David Dey Jansen	15
	06-2392SI	United States v. Andrew Mark Armstrong	NO ARG
3.	06-2410SI	United States v. Kenny Eugene Smart	10
4.	06-1613SI	United States v. Melvin Alexander Gonzalez-Alvarado	10

DIVISION I
28th Floor
En Banc Courtroom

THURSDAY, NOVEMBER 16, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

ABC

- | | | | |
|----|-----------|---|----|
| 1. | 06-2249WM | United States v. Joel Castro-Gaxiola | |
| | 06-2258WM | United States v. Reyes Guadalupe
Martinez-Ruiz, etc. | |
| | 06-2266WM | United States v. Armando Rodela-Aguilar | 15 |
| 2. | 06-1922WM | Bill Wickersham, et al. v. Memorial Day
Weekend Salute to Veterans Corporation | 20 |
| 3. | 06-2226EA | Phyllis Cox v. Jo Anne B. Barnhart, etc. | 15 |
| 4. | 06-2289EA | Amy Samons v. Jo Anne B. Barnhart, etc. | 15 |
| 5. | 06-2142EA | Sharon Travis v. Jo Anne B. Barnhart, etc. | 15 |

FRIDAY, NOVEMBER 17, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, ARNOLD, BENTON

MER

- | | | | |
|----|-----------|--|---------------|
| 1. | 06-2156WM | Randolph C. Fletcher, et al. v. Burlington
Northern and Santa Fe Railway Company,
et al. | |
| | 06-2159WM | Jeff Lundein, et al. v. Burlington Northern
and Santa Fe Railway Company, et al. | |
| | 06-2162WM | John Fredrickson, et al. v. Burlington
Northern and Santa Fe Railway Company,
et al. | |
| | 06-2164WM | Carl Junction R-1 v. Burlington Northern
and Santa Fe Railway Company, et al. | 15 |
| | 06-1911WA | S. Keith Curran, et al. v. Washington
Mutual Bank, F.A. | |
| | | | NO ARG |
| 2. | 06-2202SI | Walnut Grove Partners, etc., et al. v.
American Family Mutual Insurance
Company | 15 |
| 3. | 06-1695NI | Rambo Associates, Inc. v. South Tama
County Community School District | 15 |
| | 06-2291EM | Nat Levy v. Donald J. Ohl, et al. | |
| | | | NO ARG |

DIVISION II
27th Floor
Southeast Courtroom

MONDAY, NOVEMBER 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, GIBSON, GRUENDER

	06-1851SI	Christine M. Brenneman, et al. v. Famous Dave's of America, Inc., et al.	BDG/JPP-T REMOVED
1.	06-2157NI	United States v. Michael Kerr	10
	06-2100EA	United States v. Stuart Wayne Reithemeyer	NO ARG
	06-1541WM	United States v. Wanda F. Thompson	NO ARG

TUESDAY, NOVEMBER 14, 2006, BEGINNING AT 8:00 A.M.
BEFORE JUDGES BYE, GIBSON, GRUENDER

			BWB
1.	06-1797WM	United States v. David M. Nanos	
	06-1821WM	United States v. Johnnie D. Dethrow, etc.	15
2.	06-2158NI	United States v. Larry Robertson, etc.	10
3.	06-1698NI	United States v. Johnny Ray McAtee	15
	06-2108WM	United States v. Joseph R. Gabourel, etc.	NO ARG
4.	06-2280NI	United States v. Alton J. Easley	10
5.	06-2075NI	United States v. Lester Jefferson	10
6.	06-1925WM	Rhonda J. Lewallen v. Green Tree Servicing, etc., et al.	20

DIVISION II
27th Floor
Southeast Courtroom

WEDNESDAY, NOVEMBER 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, SMITH

			CMD
1.	06-2285WA	Administrative Committee of the Wal-Mart Stores, Inc., etc. v. Nancy Lynn Gamboa, et al.	20
	06-1761SI	Tammy R. Hallam v. Jo Anne B. Barnhart	NO ARG
2.	06-2107EA	Marlow Morgan v. A. G. Edwards & Sons, Inc.	20
3.	06-1947WM	Delbert L. Dunmire v. Morgan Stanley DW, Inc.	15
	06-1881WM	International Brotherhood of Electrical Workers, etc. v. Smart Cabling Solutions, Inc.	NO ARG
4.	06-1711SI	Judy A. Libel v. Adventure Lands of America, Inc., et al.	15

THURSDAY, NOVEMBER 16, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BOWMAN, GRUENDER

			BNS
1.	06-1706NE	In re: Union Pacific Railroad Employment Practices Litigation Brandi Standridge, etc., et al. v. Union Pacific Railroad Company, et al.	20
	06-1970EM	Julie Weger, et al. v. City of Ladue, et al.	REMOVED
2.	06-2283EA	Arch Bradley v. Larry K. James, etc., et al.	15
3.	06-2389SI	Nancy Kecso v. Meredith Corporation	15
4.	06-1716NE	United States v. Frederick Allen McCormick	
	06-1813NE	United States v. Frederick Allen McCormick	15

DIVISION II
27th Floor
Southeast Courtroom

FRIDAY, NOVEMBER 17, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES BYE, BOWMAN, GRUENDER

			LMT
1.	06-1560SI	Frances A. Ahlberg, etc., et al. v. Chrysler Corporation, etc., et al.	
	06-2493SI	Frances A. Ahlberg, etc., et al. v. Chrysler Corporation, etc., et al.	15
2.	06-2228NE	United States v. Manuel Cubillos	15
	06-1829EA	Willie Gammon v. Dan Flowers, etc., et al.	NO ARG
3.	06-1772NE	United States v. John Palma	10
4.	06-2030WM	United States v. Elijah I. Jones	15

DIVISION III
27th Floor
Northeast Courtroom

MONDAY, NOVEMBER 13, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, BEAM, SMITH

			DMH
1.	05-1043EM	Joseph Franklin v. Al Luebbers	
	05-1047EM	Joseph Franklin v. Al Luebbers	30
	06-1611EA	United States v. Alfred M. Craft	NO ARG
	06-1737SD	Milo Walter Hirning v. Robert Dooley, etc.	NO ARG
2.	06-1655NE	Kerrey Buser, M.D. v. Richard Raymond, M.D., etc., et al.	15
	06-2324NI	United States v. Steven Black Devine	NO ARG

TUESDAY, NOVEMBER 14, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, BEAM, SMITH

			YML
	05-3997WM	United States v. Deandre J. Scroggins	DISMISSED
	06-1703SI	Alejandro A. Garcia v. John Mathes	NO ARG
1.	06-1823WM	United States v. Cesar Raul Jara, etc.	15
2.	06-2227NE	United States v. Scott E. Mink, etc.	10
3.	06-2059EM	United States v. Kendrix D. Feemster	10
4.	06-2098EA	United States v. Joe Mack Pool	10

DIVISION III
27th Floor
Northeast Courtroom

WEDNESDAY, NOVEMBER 15, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES GRUENDER, GIBSON, BOWMAN

JMH

- | | | | |
|----|-----------|--|------------------|
| 1. | 06-2130WM | Charles E. Williams v. City of Carl Junction, Missouri, et al. | 20 |
| 2. | 06-2192EA | Joel Douglas Ruminer v. General Motors Corporation, et al. | 20 |
| 3. | 06-2397SI | United States v. Joseph Dodd, etc. | 10 |
| 4. | 06-1855SI | United States v. Juan Morales-Uribe | 10 |
| | 05-4477NE | United States v. Freddie L. Willis | DISMISSED |

THURSDAY, NOVEMBER 16, 2006, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, SMITH

PJS/LLB-T

- | | | | |
|----|-----------|--|----------------|
| 1. | 06-1583WM | Equal Employment Opportunity Commission v. Wal-Mart Stores, Inc. | 20 |
| | 06-1424EM | William A. Armstrong v. Mike Kemna | REMOVED |
| 2. | 06-2411ND | United States v. Patrick Timothy McMorrow | 10 |
| 3. | 06-2160WM | Jose Interiano v. Dave Dormire | 15 |
| 4. | 06-2513WM | United States v. Jerry R. Poe | 10 |

DIVISION III
27th Floor
Northeast Courtroom

FRIDAY, NOVEMBER 17, 2006, BEGINNING AT 8:30 A.M.
BEFORE JUDGES RILEY, HANSEN, SMITH

			DMS
1.	06-1522NE	Equal Employment Opportunity Commission, et al. v. Woodmen of the World Life Insurance Society, etc.	15
2.	05-4140WM	Eric Clemmons v. Estate of George Brooks	
	06-1099WM	Eric Clemmons v. William Armontrout, Warden, et al.	15
3.	06-1609NE	Murray Rehrs, et al. v. The Iams Company, et al.	15
	05-4109SD	Heather Efinchuk v. Jo Anne B. Barnhart, etc.	NO ARG